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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**SHERRY CHANG and JASMINE SHIMODA, on
behalf of themselves and all others similarly situated,**

Plaintiffs,

10 Civ. 8577 (TPG)

-against-

**BD STANHOPE, LLC, ERIC GOODE, and SEAN
MACPHERSON,**

Defendants.

**NOTICE OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement ("Final Approval Motion") and in the Declaration of Brian S. Schaffer in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement ("Schaffer Declaration"), together with the exhibits attached thereto, Plaintiffs respectfully request that the Court enter an Order:

(1) granting final approval of the Settlement Agreement and Release ("Settlement Agreement"), attached as **Exhibit A** to the Schaffer Declaration;

(2) certifying the following settlement class under Federal Rule of Civil Procedure 23(a) and (b)(3) for purposes of effectuating the settlement:

All tipped employees employed by BD Stanhope who worked at the venues known as Hiro Ballroom and Cabanas in the positions of server, cocktail server, bartender, barback and busser, between November 12, 2004 through March 31, 2012.

(3) Awarding Class Counsel's attorneys' fees and costs, as outlined in the Settlement Agreement.

(4) approving Service Awards to Plaintiffs and fees to the Settlement Administrator, as outlined in the Settlement Agreement;

(5) approving Plaintiffs' proposed schedule for final settlement approval;

(6) issuing final approval of the FLSA settlement; and

(7) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Final Order, attached as **Exhibit D** to the Schaffer Declaration, for the Court's convenience.

Dated: New York, New York
November 6, 2012

Respectfully submitted,

/s/ Brian S. Schaffer

Brian S. Schaffer

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